

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DANIEL L. SELF, et al.,

Plaintiffs,

v.

EQUILON ENTERPRISES, LLC, et al.,

Defendants.

)
)
)
)
)
)
)
)
)
)
)

Case No. 4:00CV1903 TIA

ORDER

This matter is before the Court after a status hearing regarding the production of electronic documents held on December 21, 2006.

At the outset, the Court notes that Plaintiffs in their Brief Pursuant to the Court's December 5, 2006 Order contend that the Court has not ruled regarding whether the mailboxes of Pat Goodrum, Derek Speetles, and Richard Murray would be included in the search. See Docket No. 461, page 3, footnote 13. For purposes of clarification, the undersigned ordered Defendants to include the mailboxes of Cathy Mullis and Eunice Stigall in the August 16, 2006 Order. While not explicitly rejecting the mailboxes of Pat Goodrum, Derek Speetles, and Richard Murray, the undersigned assumed when ruling on the mailboxes for the e-mail search and by including two of the five disputed mailboxes, the parties would understand the undersigned to have determined not to include the three disputed mailboxes of Pat Goodrum, Derek Speetles, and Richard Murray.

After reviewing the parties' pleadings and considering the arguments presented at the December 21, 2006, hearing, the Court orders as follows:

IT IS HEREBY ORDERED that no later than January 12, 2007, Defendants shall produce the e-mails tagged by the search term "transfer price" after completing a privilege review of the e-mails.

IT IS FURTHER ORDERED that the Case Management Orders of January 22, 2004, May 5, 2005, and March 17, 2006, shall be amended in relevant part as follows:

1. Discovery

(a) Expert Witnesses:

(1) Plaintiffs shall disclose their expert witnesses, pursuant to Fed. R. Civ. P.

26(a)(2), no later than **March 15, 2007**, and shall make their expert witnesses available for deposition no later than **April 16, 2007**.

(2) Defendants shall disclose their additional expert witnesses, pursuant to Fed.

R. Civ. P. 26(a)(2), no later than **May 16, 2007**, and shall make their expert witnesses available for deposition no later than **June 18, 2007**.

(3) Plaintiffs shall disclose their rebuttal experts and shall provide the reports required by Rule 26(a)(2) no later than **July 18, 2007**, and shall make such expert witnesses available for deposition no later than **September 17, 2007**.

(b) Discovery: The Court's CMO shall be amended only to the extent that the parties shall complete all discovery in this case no later than **October 22, 2007**.

2. Dispositive Motions: Any dispositive motions shall be briefed in accordance with the Federal Rules of Civil Procedure and the Court's Local Rules. However, any motions to dismiss, for summary judgment, or for judgment on the pleadings must be filed no later than **November 15, 2007**. Opposition briefs shall be filed no later than **December 17, 2007**, and any reply brief may be filed no later than **January 3, 2008**. **A COURTESY COPY OF SUCH PLEADINGS SHALL BE DELIVERED DIRECTLY TO THE UNDERSIGNED'S CHAMBERS.**

Pursuant to the CMO, the motion package rule, E.D.Mo.L.R. 4.05, shall not apply.

3. Trial: A separate order will be entered scheduling the case on a Jury trial docket.

4. All other provisions of the Court's CMO of January 22, 2004, shall remain in effect.

IT IS FURTHER ORDERED that the parties shall submit proposed trial dates starting after April, 2008, no later than January 12, 2007.

IT IS FURTHER ORDERED that a hearing on the status of electronic discovery is set on January 19, 2007, at 2:00 p.m., in the courtroom of the undersigned.

IT IS FURTHER ORDERED that Plaintiffs' request to have the e-mail search parameters and terms used in the HRN and Becher litigation produced is denied.

Dated this 22nd day of December, 2006.

/s/ Terry L. Adelman

UNITED STATES MAGISTRATE JUDGE